

**City of East Providence**

**Rhode Island**

**DOCKET OF REGULAR COUNCIL MEETING**

**August 16, 2011**

**7:00 PM Executive Session**

**7:30 PM Open Session**

**Location: City Hall, Council Chambers, 145 Taunton Avenue, East Providence, RI 02914**

**EXECUTIVE SESSION**

**The City Council of the City of East Providence will meet in Executive Session pursuant to RI General Laws § 42-46-5 (a) (2)**

**A. Claims and Litigation – Room 101**

**Pursuant to R.I.G.L. § 42-46-5(a)(2)**

**1. CLAIMS & LITIGATION DOCKET AUGUST 16, 2011 -**

**Antonio Centeio, Claim No. 10-041**

**Jose DeLaCruz, Claim No. 11-042**

**East Bay Ice Company, Claim No. 11-035**

**Hartford Insurance Company (Ins: Frank Dutra), Claim No. 11-041**

**Manuel Jiminez, Claim No. 11-043**

**Hattie Siperstein, Claim No. 11-040**

**&#1692; Vote Record - Agenda Item 1242**

- Adopted**
- Adopted as Amended**

- Defeated
- Withdrawn
- Tabled
- Deferred

Yes/Aye No/Nay Abstain Absent

Bruce Rogers ••••

Katie Kleyla ••••

Thomas Rose Jr. ••••

Michael DiGioia ••••

William Conley Jr ••••

## **II. REGULAR MEETING**

## **III. CALL TO ORDER**

## **IV. INVOCATION**

## **V. SALUTE TO THE FLAG**

## **VI. CONSENT CALENDAR**

All items under “CONSENT CALENDAR” are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the “CONSENT CALENDAR” and will be considered in its normal sequence on the docket.

### **A. Letters**

1. Coastal Resources Management Council Consideration of Application for Sharon and Gary L’Europa 57 Terrace Avenue, Repairs and Expansion of Seawall, Plat 414, Lot 6. -

## **2. Coastal Resources Management Council August 2011 Calendar -**

### **B. Licenses**

**1. Corporate Name Change Corporate Name Change From Pinto, Patricio DBA Vally Towing to Vally Auto Service, Inc. DBA Vally Towing, 517 Warren Avenue (02914) –**

**2. Corporate Name Change Corporate Name Change Change from Napoli Management Co. DBA McDonald's to DJ Providence Co, LLC DBA McDonald's, 72 Newport Avenue (02916) -**

### **7. Abatements -Cancellations / Abatements -**

**Year Amount**

**2008 \$23.74**

**2010 \$130.59**

**2011 \$3920.05**

**Total \$4074.38**

### **Council Journals**

**1. Council Journal Executive Session March 1, 2011 –**

**2. Council Journal Council and City Manager Search Committee Work Session**

**March 7, 2011 -**

**3. Council Journal Executive Session August 1, 2011 –**

**4. Council Journal Executive Session August 2, 2011 -**

## **VII. PUBLIC COMMENT**

## **VIII. APPOINTMENTS**

### **1. Traffic Control Virginia Rose, 131 Hobson Avenue (02914) -Mayor Bruce Rogers**

**&#61692; Vote Record - Agenda Item 1240**

- **Adopted**
- **Adopted as Amended**
- **Defeated**
- **Withdrawn**
- **Tabled**
- **Deferred**

**Yes/Aye No/Nay Abstain Absent**

**Bruce Rogers ••••**

**Katie Kleyla ••••**

**Thomas Rose Jr. ••••**

**Michael DiGioia ••••**

**William Conley Jr ••••**

### **2. Traffic Control Appointment Renee Rose, 34 Vineyard Avenue (02914) -Mayor Bruce Rogers**

**&#61692; Vote Record - Agenda Item 1241**

- **Adopted**
- **Adopted as Amended**
- **Defeated**
- **Withdrawn**

- Tabled
- Deferred

Yes/Aye No/Nay Abstain Absent

Bruce Rogers ••••

Katie Kleyla ••••

Thomas Rose Jr. ••••

Michael DiGioia ••••

William Conley Jr ••••

## IX. PUBLIC HEARINGS

1. Show Cause Hearing for EB Dragon DBA East Buffet, 52 Narragansett Park Drive (02916), Wendy Lin, 39 S. Eagle Nest Drive, Lincoln, RI 02865. -

&#61692; Vote Record - Agenda Item 1230

- Adopted
- Adopted as Amended
- Defeated
- Withdrawn
- Tabled
- Deferred

Yes/Aye No/Nay Abstain Absent

Bruce Rogers ••••

Katie Kleyla ••••

Thomas Rose Jr. ••••

Michael DiGioia ••••

William Conley Jr ••••

**2. Show Cause Hearing Avenue N DBA Avenue N, 20 Newman Avenue (02916), Nick Rabar, 21 Pleasant Street (02916) -**

**&#61692; Vote Record - Agenda Item 1231**

- **Adopted**
- **Adopted as Amended**
- **Defeated**
- **Withdrawn**
- **Tabled**
- **Deferred**

**Yes/Aye No/Nay Abstain Absent**

**Bruce Rogers ••••**

**Katie Kleyla ••••**

**Thomas Rose Jr. ••••**

**Michael DiGioia ••••**

**William Conley Jr ••••**

**3. Additional Hours - Additional Hours DJ Providence Co, LLC DBA McDonald's, 72 Newport Avenue (02916), Josep D. Napoli, 139 Hillcrest Road, Marshfield, MA 02050 -**

**&#61692; Vote Record - Agenda Item 1245**

- **Adopted**
- **Adopted as Amended**
- **Defeated**
- **Withdrawn**
- **Tabled**

- **Deferred**

**Yes/Aye No/Nay Abstain Absent**

**Bruce Rogers ••••**

**Katie Kleyla ••••**

**Thomas Rose Jr. ••••**

**Michael DiGioia ••••**

**William Conley Jr ••••**

**4. Corporate Name ChangeCorporate Name Change B-Full Privilege  
From Tropical Ilhas, Inc. to Briggs, Elaine DBA Tropical Ilhas, 472  
Waterman Avenue (02914) -**

**&#61692; Vote Record - Agenda Item 1248**

- **Adopted**

- **Adopted as Amended**

- **Defeated**

- **Withdrawn**

- **Tabled**

- **Deferred**

**Yes/Aye No/Nay Abstain Absent**

**Bruce Rogers ••••**

**Katie Kleyla ••••**

**Thomas Rose Jr. ••••**

**Michael DiGioia ••••**

**William Conley Jr ••••**

**5. Alcoholic Bev/B FP Vict - Change of Class From B-Limited to**

**B-Full Privilege for St. Angelo's, Inc. DBA St. Angelo's, 1235 Wampanoag Trail (02915), Michael St. Angelo, 25 Foote Street, Barrington, RI 02860 -**

**&#61692; Vote Record - Agenda Item 1251**

- **Adopted**
- **Adopted as Amended**
- **Defeated**
- **Withdrawn**
- **Tabled**
- **Deferred**

**Yes/Aye No/Nay Abstain Absent**

**Bruce Rogers ••••**

**Katie Kleyla ••••**

**Thomas Rose Jr. ••••**

**Michael DiGioia ••••**

**William Conley Jr ••••**

**6. Dance/Entertainment - Dance Entertainment Chello's of Newport Avenue, Inc., 45 Newport Avenue (02916), James L. Foshey, 44 Pankhurst Road, Warwick, RI 02889 -**

**&#61692; Vote Record - Agenda Item 1252**

- **Adopted**
- **Adopted as Amended**
- **Defeated**
- **Withdrawn**
- **Tabled**



• **Deferred**

**Yes/Aye No/Nay Abstain Absent**

**Bruce Rogers ••••**

**Katie Kleyla ••••**

**Thomas Rose Jr. ••••**

**Michael DiGioia ••••**

**William Conley Jr ••••**

**7. An Ordinance in Amendment of Chapter 18 of The Revised Ordinances of the City of East Providence, Rhode Island, 1998, as Amended, Entitled “Vehicles and Traffic”**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I. Section 18-307 entitled “Parking prohibited at all times.” of Article X entitled “Stopping, Standing and Parking.” of Chapter 18 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Vehicles and Traffic.” is amended by adding thereto the following:**

**Taylor Drive (north side) from utility pole #10 easterly for 115 feet.**

**Taylor Drive (south side) starting from a point 300 feet easterly of Martha Road to a point 170 feet easterly.**

**SECTION II. This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.**

**&#61692; Vote Record - Ordinance 1209**

- **Adopted**
- **Adopted as Amended**
- **Defeated**
- **Tabled**
- **Withdrawn**
- **First Passage**

**Yes/Aye No/Nay Abstain Absent**

**Bruce Rogers ••••**

**Katie Kleyla ••••**

**Thomas Rose Jr. ••••**

**Michael DiGioia ••••**

**William Conley Jr ••••**

**X. LICENSES NOT REQUIRING PUBLIC HEARING**

**All licenses subject to approval(s) from the Chief of Police, Building Inspector, State Division of Taxation and Fire Marshall.**

**1. Corporate Name ChangeVict Not Over 50 Corporate Name Change from Tropical Ilhas, Inc. to Briggs, Elaine DBA Tropical Ilhas, 472 Waterman Avenue (02914) -**

**&#61692; Vote Record - Agenda Item 1249**

- Adopted
- Adopted as Amended
- Defeated
- Withdrawn
- Tabled
- Deferred

Yes/Aye No/Nay Abstain Absent

Bruce Rogers ••••

Katie Kleyla ••••

Thomas Rose Jr. ••••

Michael DiGioia ••••

William Conley Jr ••••

2. Corporate Name ChangeDance/Entertainment Corporate Name  
Change from Tropical Ilhas, Inc. to Briggs, Elaine DBD Tropical Ilhas,  
472 Waterman Avenue (02914) -

&#61692; Vote Record - Agenda Item 1250

- Adopted
- Adopted as Amended
- Defeated
- Withdrawn
- Tabled
- Deferred

Yes/Aye No/Nay Abstain Absent

Bruce Rogers ••••

Katie Kleyla ••••

**Thomas Rose Jr. ••••**

**Michael DiGioia ••••**

**William Conley Jr ••••**

## **XI. NEW BUSINESS**

### **A. Reports of Other City Officials**

**1. Grant of Easement 55 Bullocks Point Avenue by Director of Public Works Steve Coutu -**

**&#1692; Vote Record - Agenda Item 1255**

- Adopted**
- Adopted as Amended**
- Defeated**
- Withdrawn**
- Tabled**
- Deferred**

**Yes/Aye No/Nay Abstain Absent**

**Bruce Rogers ••••**

**Katie Kleyla ••••**

**Thomas Rose Jr. ••••**

**Michael DiGioia ••••**

**William Conley Jr ••••**

### **B. Council Members**

**1. Summer Recreation Program - Mayor Bruce Rogers**

**2. Legal Fees Pond View/TLA – Mayor Bruce Rogers**

**3. Forbes Street Solar Project Update - Councilman Michael DiGioia**

**4. Waddington Playground - Councilman Michael DiGioia**

**5. Status of Deficit Elimination Committee - Councilman William Conley Jr**

**6. Going Forward with a Deficit Elimination Plan - Councilman William Conley Jr**

**C. Resolutions**

**1. RESOLUTION URGING THE GOVERNOR TO OPENLY BID FOR DEBIT CARD SERVICES USED BY THE STATE OF RHODE ISLAND**

**WHEREAS, JP Morgan Chase provides debit card services for Rhode Island unemployment, temporary disability insurance and SNAP (food stamp) benefits;**

**WHEREAS, JP Morgan Chase is a multi-national corporation with no branches in Rhode Island;**

**WHEREAS, JP Morgan Chase collects debit card fees from Rhode Island businesses and those receiving unemployment, temporary disability insurance and SNAP benefits;**

**WHEREAS, Rhode Island state government should share the benefit of interest on government benefit funds currently pocketed entirely by JP Morgan Chase;**

**WHEREAS, Rhode Island should encourage local small business to promote the Rhode Island economy;**

**WHEREAS, Governor Lincoln Chafee has decided to put the contract with JP Morgan Chase out for bid;**

**NOW, THEREFORE, BE IT RESOLVED that the East Providence City Council urges Governor Lincoln Chafee as part of the bid process to request an immediate audit by JP Morgan Chase pursuant to the current contract between the State and JP Morgan Chase to reveal the fees collected by JP Morgan Chase under the current contract;**

**BE IT FURTHER RESOLVED Governor Lincoln Chafee uses his power upon review of the results of the audit to negotiate the best new contract possible for Rhode Island's unemployed and temporarily disabled**

**BE IT FURTHER RESOLVED that the City Clerk forward a copy of this Resolution to Governor Lincoln Chafee and each member of the East Providence legislative delegation.**

**This resolution shall become effective upon its passage.**

## **&#61692; Vote Record - Resolution 1229**

- **Adopted**
- **Adopted as Amended**
- **Defeated**
- **Tabled**
- **Withdrawn**

**Yes/Aye No/Nay Abstain Absent**

**Bruce Rogers ••••**

**Katie Kleyla ••••**

**Thomas Rose Jr. ••••**

**Michael DiGioia ••••**

**William Conley Jr ••••**

### **D. Introduction of Ordinances**

**1. An Ordinance in Amendment of Chapter 18 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as Amended, Entitled “Vehicles and Traffic”**

**The Council of the City of East Providence Hereby Ordains:**

**SECTION I. Subsection (b) of Sec. 18-269 entitled “Stop and yield intersections designated; when stops required.” is amended by adding thereto the following:**

**Angell Drive (northbound traffic) at Brookhaven Drive**

**SECTION II. This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.**

**&#61692; Vote Record - Ordinance 1228**

- Adopted**
- Adopted as Amended**
- Defeated**
- Tabled**
- Withdrawn**
- First Passage**

**Yes/Aye No/Nay Abstain Absent**

**Bruce Rogers ••••**

**Katie Kleyla ••••**

**Thomas Rose Jr. ••••**

**Michael DiGioia ••••**

**William Conley Jr ••••**

**E. Communications**

**1. Tom Riley, 3620 Pawtucket Avenue (02915) Requesting to Address the Council Regarding TLA/Pond View Isn't Unemployment High Enough? -**



## **XII. ADJOURNMENT**

### **1. Motion To: Adjourn**

**\*If communications assistance is needed or any other accommodations to ensure equal participation please contact the City Clerk's Office at 435-7590**

**\* Any items listed on the Council Docket may be subject to a vote.**